

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

C.R.P.(PD).No.436 of 2018

and

C.M.P.No.2309 of 2018

1.K.Chandrapraba

2.K.Banuchandar

.. Petitioners

Vs.

R.Kanagaraj (died)

1.Azhagan

2.Pathiraiyan

3.Malarkodi

4.Sampoornam

5.Renuchand

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 14.11.2017 made in I.A.No.117 of 2017 in O.S.No.282 of 2010 on the file of the Additional District Court, FTC No.IV. Bhavani.

For Petitioner : Mr. A.Sundaravadhanan

ORDER

The petitioner has filed this Civil Revision Petition to set aside the order passed by the Additional District Court, FTC No.IV. Bhavani, in

<http://www.judis.nic.in> O.S.No.282 of 2010 dated 14.11.2017.

2. According to the petitioners, the petitioners herein have filed the suit in O.S.No.282 of 2010 before the Additional District Court, FTC No.IV. Bhavani, seeking partition and separate possession. In the aforesaid suit, the petitioners have filed the application in I.A.No.117 of 2017 in O.S.No.282 of 2010 to amend the plaint, one for declaration to declare the sale deed dated 31.10.2018 is null and void and consequential declaration of title. The petitioners came to know about the sale deed dated 31.10.2008, only after the impleading of the respondents 1 and 2 herein and the same was dismissed by the Court below. Challenging the aforesaid order, the petitioners have filed the present civil revision petition before this Court.

3. The learned counsel for the petitioners would submit that soon after the petitioners came to know about the registered sale deed dated 31.01.2008, the said amendment application has been filed.

4. Considering the submission made by the learned counsel for the petitioners, at this stage, there is no bonafide reason stated in the affidavit for filing the application belatedly by the petitioners. This Court is not inclined to entertain the petition for amendment of the plaint. Therefore, there is no

reason to interfere with the order passed by the reason to interfere with the order passed by the Court below. Hence, this civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

08.02.2018

Index: Yes/No

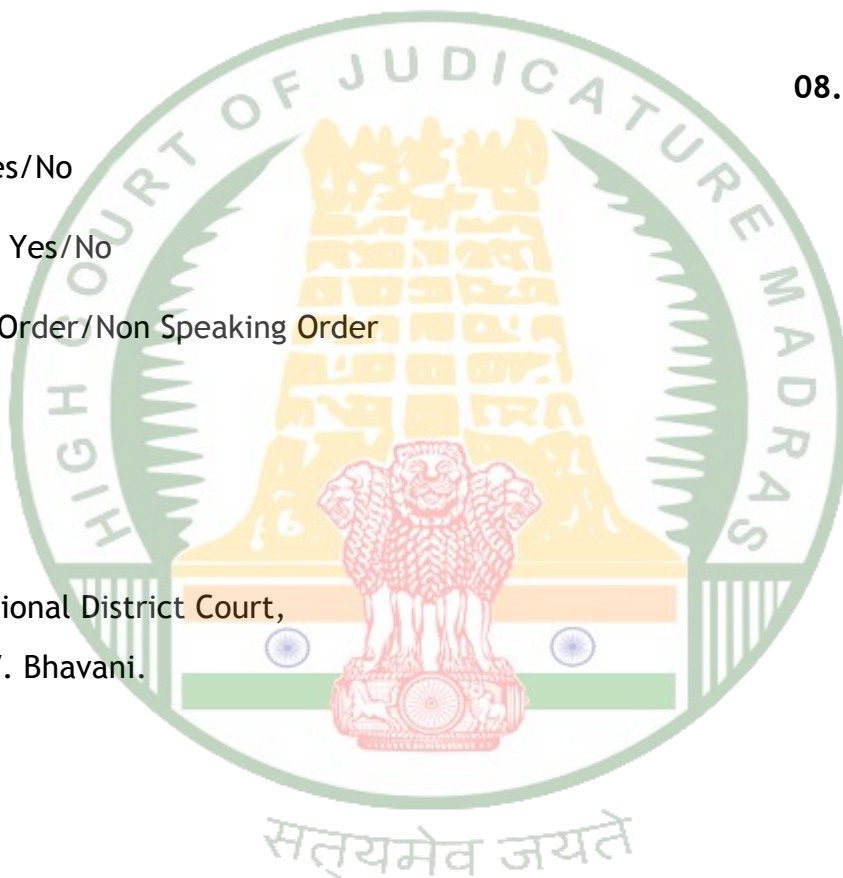
Internet : Yes/No

Speaking Order/Non Speaking Order

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To

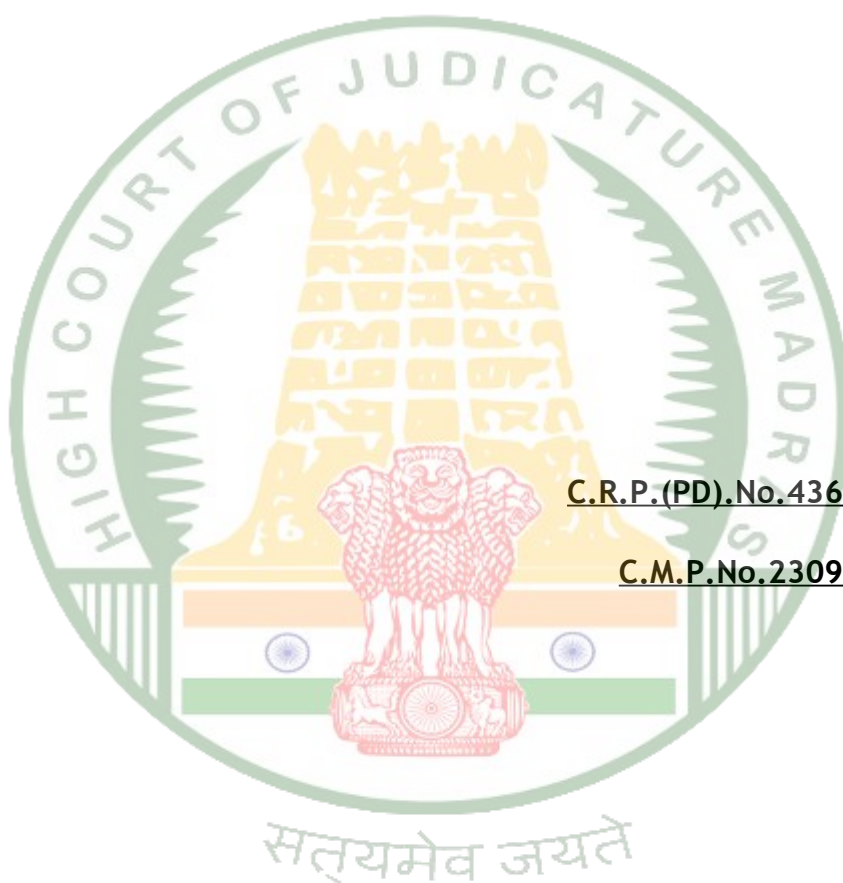
The Additional District Court,
FTC No.IV. Bhavani.



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D.KRISHNAKUMAR,J

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